

# Cannabis License

## Cannabis License Application - DRAFT

### SECTION A - APPLICANT/BUSINESS INFORMATION

1. Business Name

200 characters

2. Business Organizational Structure

- Sole Proprietorship  
Limited Liability Company  
General Partnership  
Corporation  
Limited Partnership  
Limited Liability Partnership  
Other

3. Applicant/Owner Name

First Name

Last Name

4. Primary Contact

First Name

Last Name

5. Doing Business As (DBA)

200 characters

6. Mailing Address

Street Number and Name

Postal/ZIP Code

7. Website

8. Email

9. Phone

( ) -

ext.

10. SSN, ITIN or FEIN ?

200 characters

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## SECTION B - DECLARATIONS

11. Are you a federally recognized tribe or other sovereign entity?

- ☐ Yes  
☐ No

12. Provide a written limited waiver of sovereign immunity with all required contents. ?

CLEAR

BROWSE...

Maximum size allowed: 5 MB

Allowed types: .doc, .docx, .xls, .xlsx, .pdf, .txt

13. Please enter your California Seller's Permit Number. Leave empty if you don't have one. ?

200 characters

14. If no Seller's Permit, do you attest that you are currently applying for one?

- ☐ Yes  
☐ No

15. Does your company have 10 or more employees(no supervisors)for the commercial cannabis business?

- ☐ Yes  
☐ No

16. Provide labor peace agreement or notarize statement indicating that you will enter into.

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Maximum size allowed: 5 MB

Allowed types: .doc, .docx, .xls, .xlsx, .pdf, .txt

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## SECTION C - LIST OF BUSINESS OWNER(S), OFFICER(S), AND MANAGER(S) (Include Business Trade Names DBA)

17. Please upload a list that include the Name /DBA, Email, Ownership %, Title, Mailing Address (City, State, and Zip Code). [Download the template here](#) and upload below.

17a. List of business owners/trade names. Select Browse below to upload. ?

CLEAR

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Maximum size allowed: 5 MB

Allowed types: .xls, .xlsx

## SECTION D – LICENSE REQUEST

Non-Storefront Retailer  
Storefront Retailer  
Distributor  
Manufacturer  
Cultivator  
Testing Laboratory

### 18. License Type

### 19. Proposed Cannabis Business Address - Only Chula Vista addresses

Street Number and Name

Postal/ZIP Code

### 20. Medical Purposes

- ☐ Yes  
☐ No

### 21. Adult Use

- ☐ Yes  
☐ No

## Premises Owners Information

### 22. Premises Owners Name/DBA

200 characters

### 23. Email

### 24. Premises Ownership %

200 characters

### 25. Mailing Address

Street Number and Name

City

State/Province/Region

Postal/ZIP Code

**26. If additional premises owners, please [download this template](#), fill out with your information, and upload below.**

**26a. Please upload file with Premises Owners Information by selecting the Browse button below.**

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Maximum size allowed: 5 MB

Allowed types: .xls, .xlsx

## SECTION E – REQUIRED DOCUMENTS

**27. Business formation documents, including all documents filed with the CA Secretary of State(SOS)**

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Maximum size allowed: 5 MB

Allowed types: .doc, .docx, .xls, .xlsx, .pdf, .txt

**28. Commercial Cannabis Activity** – Evidence of all the commercial cannabis activity engaged in as an owner, manager, lender, employee, volunteer, or agent. Evidence demonstrating compliance with experience requirements in [CVMC Section 5.19.050 1.e.](#)

**28a. Manager - Check each one that applies (One must be checked) Select ? to view link to Code**

?

- ☐ At least one Manager has a minimum of 12 consecutive months managerial oversight/direct engagement in a commercial cannabis activity (CVMC 5.19.050 A. 1.e. i. (A))
- ☐ At least one Manager has a minimum of 60 consecutive months managerial oversight/direct engagement in a pharmaceutical business (CVMC 5.19.050 A. 1.e. i. (B))

**28b. Select the Browse button below to upload a document with all the evidence**

CLEAR

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Maximum size allowed: 5 MB

Allowed types: .doc, .docx, .xls, .xlsx, .pdf, .txt

**28c. Owner - Check each one that applies** ?

- ☐ At least one Owner has a minimum of 12 consecutive months as an owner of a commercial cannabis business (CVMC 5.19.050 A. 1.e. ii. (A))
- ☐ At least one Owner has a minimum of 36 consecutive months as an owner of a alcohol business (CVMC 5.19.050 A. 1.e. ii. (B))
- ☐ At least one Owner has a minimum of 36 consecutive months as an owner of a business with 10 or more employees in Chula Vista (CVMC 5.19.050 A. 1.e. ii. (C))

**28d. Select the Browse button below to upload a document with all the evidence**

CLEAR

BROWSE...

Maximum size allowed: 5 MB

Allowed types: .doc, .docx, .xls, .xlsx, .pdf, .txt

**29. Business Plan**

CLEAR

BROWSE...

Maximum size allowed: 5 MB

Allowed types: .doc, .docx, .xls, .xlsx, .pdf, .txt

**30. Operating Plan**

CLEAR

BROWSE...

Maximum size allowed: 5 MB

Allowed types: .doc, .docx, .xls, .xlsx, .pdf, .txt

**31. Fingerprint and Background Check (CVMC 5.19.050.A.1.i)**

For each owners, officers, and managers submit the following scanned documents:

- a. Completed Police Controlled License application ([Download form here](#))
- b. Completed Application Conviction Supplement ([Download form here](#))
- c. Signed and dated Statement of Understanding ([Download form here](#))
- d. One 2" x 2" color photo taken within the last six months
- e. color copy of government-issued picture I.D. (driver's license, California I.D., etc.)

**31a. Upload Police Controlled License Application**

CLEAR

BROWSE...

Maximum size allowed: 5 MB

Allowed types: .pdf

**31b. Upload Application Conviction Supplement**

CLEAR

BROWSE...

Maximum size allowed: 5 MB

Allowed types: .pdf

**31c. Upload Signed and dated Statement of Understanding**

CLEAR

BROWSE...

Maximum size allowed: 5 MB

Allowed types: .gif, .jpg, .png, .doc, .docx, .xls, .xlsx, .rtf, .pdf, .txt

**31d. One 2" x 2" color photo taken within the last six months**

CLEAR

BROWSE...

Maximum size allowed: 5 MB

Allowed types: .gif, .jpg, .png, .doc, .docx, .pdf, .txt

**31e. color copy of government-issued picture I.D. (driver's license, California I.D., etc.)**

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Maximum size allowed: 5 MB

Allowed types: .gif, .jpg, .png, .doc, .docx, .pdf

**NOTE: Completed Live Scan. Owners, Managers and Officers must make and complete a Live Scan appointment within 30 days of application submission using the [form here](#). The Chula Vista Cannabis License Live Scan form contains a "Your Number" field. You must provide your application submission ID number (which will be provided upon application submission) in the "Your Number" field. Live Scans must be completed at an authorized California Live Scan vendor.**

**32. Evidence of legal right to occupy and use the proposed cannabis business premises for each business location identified in Section D above (Notarized statement from each Premises Owner listed). [Download form here](#).**

**32a. Upload one document with all evidence ?**

CLEAR

BROWSE...

Maximum size allowed: 5 MB

Allowed types: .doc, .docx, .xls, .xlsx, .pdf, .txt

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## AFFIRMATION AND CONSENT

**33. Each Owner, Officer, or Manager must submit an Affirmation and Consent Statement. [Download Affirmation and Consent form here](#).**

**NOTE: Signature, Printed Name, and Date should be included for each individual.**

**33a. Upload one document with all notary pages**

CLEAR

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Maximum size allowed: 5 MB

Allowed types: .doc, .docx, .xls, .xlsx, .pdf, .txt

Online Payment will be here....

200 characters

To receive a copy of your submission, please fill out your email address below and submit.

Email Address

protected by reCAPTCHA

Privacy - Terms

[Review](#)

[Submit](#)

DRAFT

**CITY OF CHULA VISTA**  
**REQUIRED CONTENTS FOR LIMITED WAIVER OF SOVEREIGN IMMUNITY**

Any applicant or licensee that may fall within the scope of sovereign immunity that may be asserted by a federally recognized tribe or other sovereign entity must waive any sovereign immunity defense that the applicant or licensee may have, may be asserted on its behalf, or may otherwise be asserted in any state or City administrative or judicial enforcement actions against the applicant or licensee, regardless of the form of relief sought, whether monetary or otherwise, under the state and local laws and regulations governing commercial cannabis activity. The applicant or licensee must submit a written waiver of sovereign immunity to the City with any license application or renewal, which is valid for the period of the license. The written waiver shall include that the applicant or licensee has the lawful authority to enter into the waiver required by this section, the applicant or licensee hereby waives sovereign immunity, and the applicant or licensee agrees to do all of the following:

- (1) Provide documentation to the City that establishes that the applicant or licensee has the lawful authority to enter into the waiver required by this section;
- (2) Conduct all commercial cannabis activity in full compliance with the state and local laws and regulations governing commercial cannabis activity, including submission to all enforcement provisions thereof;
- (3) Allow access as required by state and local laws and regulations by persons or entities charged with duties under the state and local laws and regulations governing commercial cannabis activity to any premises or property at which the applicant conducts any commercial cannabis activity, including premises or property where records of commercial cannabis activity are maintained by or for the applicant or licensee;
- (4) Provide any and all records, reports, and other documents as may be required under the state and local laws and regulations governing commercial cannabis activity;
- (5) Conduct commercial cannabis activity with other state commercial cannabis licensees only, unless otherwise specified by state law;
- (6) Meet all of the requirements for licensure under the state and local laws and regulations governing the conduct of commercial cannabis activity, and provide truthful and accurate documentation and other information of the applicant's qualifications and suitability for licensure as may be requested; and
- (7) Submit to the personal and subject matter jurisdiction of the California courts to address any matter related to the waiver or the commercial cannabis application, license, or activity, and that all such matters and proceedings shall be governed, construed and enforced in accordance with California substantive and procedural law.



**CANNABIS LICENSE APPLICATION**  
**SECTION C - LIST OF BUSINESS OWNER(S), OFFICER(S), AND MANAGER(S)**  
(Include Business Trade Names DBA)



Name/DBA	Email	Ownership %	Title	Mailing Address - Street Number and Street Name	Mailing Address - City	Mailing Address - State	Mailing Address - ZIP code
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**CANNABIS LICENSE APPLICATION**  
**SECTION D - PREMISES OWNERS INFORMATION**



Name/DBA	Email	Ownership %	Mailing Address - Street Number and Street Name	Mailing Address - City	Mailing Address - State	Mailing Address - ZIP code
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## CANNABIS APPLICATION CONVICTION SUPPLEMENT

If you have charges pending against you or you have ever been convicted of, or pled guilty or nolo contendere, to any of the following, please explain below:

1. A felony offense;
2. Any offense involving the use of a weapon;
3. Any offense involving deceit, fraud, a readiness to do evil, or an act of moral depravity of any kind that has a tendency in reason to shake one's confidence in the perpetrator's honesty, including but not limited to Penal Code §186.10, Business and Professions Code §17200, *et seq.*, Government Code §12650, *et seq.*, tax fraud, tax evasion, or worker's compensation fraud;
4. An offense involving the unlawful possession for sale, sales, furnishing or giving of, or transportation of a controlled substance, including but not limited to the following offenses described in California Health and Safety Code §§ 11054, 11055, 11056, 11057, 11058, 11171, 11351, 11351.5, 11352, 11357.5, 11359, 11360, 11375, 11378, 11378.5, or 11379;
5. Any offense in another jurisdiction that, had the predicate act(s) been committed in California, would have constituted any of the foregoing offenses.

If you have ever been adversely sanctioned or penalized by any city, county, or state for a material violation of state or local laws or regulations related to commercial cannabis activity or to pharmaceutical or alcohol licensure, please explain below.

If you have every conducted, facilitated, cause, aided, abetted, suffered, or concealed unlawful commercial cannabis activity in any jurisdiction, please explain below.

1. Description of offense: \_\_\_\_\_  
Misdemeanor \_\_\_\_ or Felony \_\_\_\_  
Jurisdiction/Court: \_\_\_\_\_  
Disposition (including penalty and dates of conviction, release from confinement, and expungement, if applicable): \_\_\_\_\_  
\_\_\_\_\_

2. Description of offense: \_\_\_\_\_  
Misdemeanor \_\_\_\_ or Felony \_\_\_\_  
Jurisdiction/Court: \_\_\_\_\_  
Disposition (including penalty and dates of conviction, release from confinement, and expungement, if applicable): \_\_\_\_\_  
\_\_\_\_\_

3. Description of offense: \_\_\_\_\_  
Misdemeanor \_\_\_\_ or Felony \_\_\_\_  
Jurisdiction/Court: \_\_\_\_\_  
Disposition (including penalty and dates of conviction, release from confinement, and expungement, if applicable): \_\_\_\_\_  
\_\_\_\_\_

(IF NEEDED, PLEASE INCLUDE ADDITIONAL DESCRIPTIONS ON A SEPARATE PAGE AND ATTACH TO THIS PAGE)

**CITY OF CHULA VISTA**  
**CANNABIS BUSINESS LICENSE**  
**Statement Of Understanding - Operating Requirements and Regulations**

**PLEASE READ CAREFULLY:** All applicants must complete a “Statement of Understanding- Operating Requirements and Regulations.” It is unlawful for any person to establish, operate, engage in, conduct, or carry on any cannabis business without a City issued license as required by Chula Vista Municipal Code Chapter 5.19. A cannabis business license is valid for one year. As a holder of such a license you are required to comply with the provisions of Chula Vista Municipal Code Chapter 5.19 and the City’s Cannabis Regulations. Copies of the Chapter 5.19 may obtained from the Chula Vista City Clerk’s Office located at 276 Fourth Avenue, Bldg. 100, Chula Vista, CA 91910. The following is a summary of some, but not all, of the provisions applicable to your cannabis business license:

**Please initial:**

\_\_\_\_\_ **5.19.020 Definitions.**

“Commercial Cannabis Activity” means: means the commercial cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery or sale of Cannabis or Cannabis Products.

“Commercial Cannabis Business” or “Cannabis Business” means any Person lawfully engaged in a Commercial Cannabis Activity.

\_\_\_\_\_ **5.19.030 City License Required.**

A. No Person may engage in any Commercial Cannabis Business and/or in any Commercial Cannabis Activity within the City unless that Person: (1) has a valid State License authorizing such business or activity; (2) has a valid City License authorizing such business or activity; and 3) is currently in compliance with all other applicable state and local laws and regulations pertaining to such business or activity. No City License will be available for issuance until, at the earliest, January 1, 2019. Except as expressly authorized in this Chapter, all Commercial Cannabis Businesses and Commercial Cannabis Activities are prohibited within the City.

\_\_\_\_\_ **5.19.080 Operating and Conduct Requirements for All Licenses and Individuals.**

A. No person shall consume Cannabis and/or Cannabis Products on the Premises of a Commercial Cannabis Business.

B. No person shall cause or license the sale, dispensing, or consumption of alcoholic beverages or tobacco products on the Premises of a Commercial Cannabis Business.

C. No Cannabis or Cannabis Products shall be visible from the exterior of any Premises issued a City License, or on any of the vehicles owned or used as part of

a Commercial Cannabis Business. No outdoor storage of Cannabis or Cannabis Products is permitted at any time.

D. Each Commercial Cannabis Business shall have in place a point-of-sale or management inventory tracking system to track and report on all aspects of the Commercial Cannabis Business including, but not limited to, such matters as cannabis tracking, inventory data, gross sales (by weight and by sale) and other information which may be deemed necessary by the City. The Commercial Cannabis Business shall ensure that such information is compatible with the City's record-keeping systems. In addition, the system must have the capability to produce historical transactional data for review. Furthermore, any system selected must be approved and authorized by the Finance Director prior to being used by the City Licensee.

E. All Cannabis and Cannabis Products sold, tested, distributed or manufactured shall be cultivated, manufactured, and transported by Commercial Cannabis Businesses that maintain operations in full conformance with State Laws, State regulations, local laws, and local regulations.

F. All Commercial Cannabis Businesses shall have a Manager on the premises at all times during hours of operation.

G. Each Commercial Cannabis Business shall provide the City Manager with the name, telephone number (both land line and mobile, if available) of an on-site Manager or Owner to whom emergency notice may be provided at any hour of the day.

H. Each Commercial Cannabis Business premises shall be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming cannabis on the Premises or in the areas adjacent to the Commercial Cannabis Business is prohibited.

I. Persons under the age of twenty-one (21) years shall not be allowed and are not allowed on the Premises of a Commercial Cannabis Business, and shall not be allowed and are not allowed to serve as a driver for a Non-Storefront Retailer.

J. It shall be unlawful and a violation of this Chapter for any Person to employ an individual at a Commercial Cannabis Business who is not at least twenty-one (21) years of age.

K. Odor Control. Odor control devices and techniques shall be incorporated in the Premises of all Commercial Cannabis Businesses to ensure that odors from Cannabis are not detectable off-site. Commercial Cannabis Businesses shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the Commercial Cannabis Business that is distinctive to its Operation is not detected outside of the Premises, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located

inside the same building as the Commercial Cannabis Business. As such, Commercial Cannabis Businesses must install and maintain the following equipment, or any other equipment which the Development Services Director determines is a more effective method or technology:

1. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally;

2. An air system that creates negative air pressure between the Commercial Cannabis Business's interior and exterior, so that the odors generated inside the Commercial Cannabis Business are not detectable on the outside of the Commercial Cannabis Business.

L. Safety, Security, and Operating Plans. Each Commercial Cannabis Business must comply with all requirements of the security plan approved by the Police Chief; with all safety requirements of the Emergency Action and Fire Prevention Plan approved by the Fire Chief; and with all provisions of the operating plan approved by the Development Services Director.

M. Display of City License and City Business License. The original copy of the City License and the City Business License shall be posted inside the Premises of the Commercial Cannabis Business in a location readily-visible to the public.

N. Employee Identification. Each and every employee of a City Licensee must, at all times when present on a Premises and while conducting a Delivery, wear an identification badge containing their photograph, age, the name of the City Licensee for whom they are employed, and, if the employee is a Manager, the employee's job title.

O. Delaying or Linger Prohibited. The City Licensee shall take reasonable steps to prevent individuals from delaying or lingering on the Premises without a lawful purpose.

P. Cannabis Use on Premises Prohibited. The City Licensee shall take reasonable steps to prevent the use and consumption of Cannabis or Cannabis Products on the Premises.

Q. Licenses and other Approvals. Throughout the Operation of a Commercial Cannabis Business, the City Licensee must maintain all applicable planning, zoning, building, and other applicable licenses, permits, and approvals from the relevant City department or division that may be applicable to the zoning district in which the Commercial Cannabis Business Premises is located.

R. Persons with Disabilities. Nothing in this Chapter exempts a Commercial Cannabis Business from complying with all applicable local, State and federal laws and regulations pertaining to persons with disabilities.

S. Discrimination. No Commercial Cannabis Business may discriminate or exclude patrons in violation of local, State and federal laws and regulations.

T. Fees and Charges.

1. No Person may conduct Commercial Cannabis Activity without timely paying in full all fees and charges required associated with the Operation of a Commercial Cannabis Activity. Fees and charges associated with the Operation of a Commercial Cannabis Activity shall be established by resolution of the City Council which may be amended from time to time.

2. City Licensees authorized to Operate under this Chapter shall pay all sales, use, business and other applicable taxes, and all license, registration, and other fees required under federal, State and local law. Each Commercial Cannabis Business shall cooperate with City with respect to any reasonable request to audit the Commercial Cannabis Business' books and records for the purpose of verifying compliance with this section, including but not limited to a verification of the amount of taxes required to be paid during any period.

U. Training Requirements. City reserves the right to impose training requirements on Managers, employees, and others involved in the Operation of a Commercial Cannabis Business, with the specific requirements to be determined and implemented through regulations.

V. Temporary Events Prohibited. Cannabis temporary events, as described in California Business and Professions Code section 26200 as presently adopted or further amended, are prohibited in the City at all times.

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**5.19.090 – 5.19.140 Operating Requirements for Individual License Types.**

CVMC sections 5.19.090 through 5.19.140 set forth additional operating requirements for Storefront Retailers, Non-Storefront Retailers, Cultivators, Manufacturers, Distributors, and Testing Laboratories. Licensees are expected to know and understand the additional requirements applicable to their specific license type. Compliance with operating requirements is required and failure to do so may lead to sanctions, including but not limited to, the denial, suspension, or revocation of a cannabis business license.

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**5.19.160 Security Measures.**

A. All City Licensees shall implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing Cannabis or Cannabis Products, and to deter and prevent the theft of Cannabis or Cannabis Products at the Premises of the Commercial Cannabis Business. Except as may otherwise be determined by the Police Chief, these security measures shall include, but shall not be limited to, all of the following:

1. Preventing individuals from remaining on the Premises of the Commercial Cannabis Business if they are not engaging in an activity directly related to the Operations of the Commercial Cannabis Business.

2. Establishing limited access areas accessible only to authorized Commercial Cannabis Business personnel.

3. All Cannabis and Cannabis Products, including Live Plants, shall be kept in a secure manner so as to prevent diversion, theft, and loss. All Cannabis and Cannabis Products that are being stored must be stored in a secured and locked room, safe, or vault. All Cannabis and Cannabis Products on display for Sale shall be displayed in a secure case.

4. Installing 24-hour security surveillance cameras of at least HD-quality to monitor areas on the Premises including, but not limited to: entrances and exits to and from the Premises; all interior spaces which are open and accessible to the public; all interior spaces where Cannabis, cash or currency is being stored for any period of time on a regular basis; all areas where the purchase, Sale, Distribution, or Transfer of Cannabis or Cannabis Products take place; and all exterior and interior spaces where diversion of Cannabis could reasonably occur. The City Licensee shall be responsible for ensuring that the security surveillance camera's footage is remotely accessible by the Police Chief, and that it is compatible with the City's software and hardware. In addition, remote and real-time, live access to the video footage from the cameras shall be provided to the Police Chief. Video recordings shall be maintained for a minimum of 90 days, and shall be made available to the Police Chief upon request. Video shall be of sufficient quality for effective prosecution of any crime found to have occurred on the Premises of the Commercial Cannabis Business.

5. Sensors shall be installed to detect entry and exit from all secure areas.

6. Panic buttons shall be installed in all Commercial Cannabis Businesses.

7. A professionally installed, maintained, and monitored alarm system, with the required City alarm permit under Chapter 9.06.150 of this Code.

8. Security personnel shall be on the Premises 24 hours a day or alternatively, as authorized by the Police Chief. Security personnel must be licensed by the State of California Bureau of Security and Investigative Services personnel and shall be subject to the prior review and approval of the Police chief, with such approval not to be unreasonably withheld.

9. Each Commercial Cannabis Business shall have the capability to remain secure during a power outage and shall ensure that all access doors are not solely controlled by an electronic access panel to ensure that locks are not released during a power outage.

B. Each Commercial Cannabis Business shall identify a designated security representative/liaison to the City, who shall be reasonably available to meet with the Police Chief regarding any security related measures or and operational issues.

C. As part of the application and licensing process, each Commercial Cannabis Business shall have a storage and transportation plan, which describes in detail



the procedures for safely and securely storing and transporting all Cannabis, Cannabis Products, and any currency.

D. Each Commercial Cannabis Business shall cooperate with the City whenever the City Manager makes a request, upon reasonable notice to the Commercial Cannabis Business, to inspect or audit the effectiveness of any security plan or of any other requirement of this Chapter.

E. A Commercial Cannabis Business shall notify the Police chief within 24 hours after discovering any of the following:

1. Significant discrepancies identified during inventory. The level of significance shall be determined by the regulations promulgated by the Police chief.
2. Diversion, theft, loss, or any criminal activity involving the Commercial Cannabis Business or any Owner, Officer, Manager, agent, or employee of the Commercial Cannabis Business.
3. The loss or unauthorized alteration of records related to Cannabis, registering qualifying patients, primary caregivers, or employees or agents of the Commercial Cannabis Business.
4. Any other breach of security.

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**5.19.190 Compliance With All Applicable Laws Required.**

A. Nothing in this Chapter shall be construed as authorizing or condoning any actions that violate federal, state or local law with respect to the operation of a Commercial Cannabis Business.

B. It shall be the responsibility of the City Licensees, Owners, Officers, and Managers of a Commercial Cannabis Business to ensure that a Commercial Cannabis Business is, at all times, operating in a manner compliant with all applicable federal, state, and local laws and regulations, including any subsequently enacted state or local law or regulatory, licensing, or certification standards or requirements, and any specific, additional operating procedures or requirements which may be imposed as conditions of approval of a State License or a City License.

C. Except as otherwise specifically provided herein, this Chapter incorporates the requirements and procedures set forth in State Laws. In the event of a conflict between the provisions of this Chapter and the provisions of State Laws or any other applicable state or local law, the more restrictive provision shall control. To the extent allowed by State Law, the City shall have the right, but not the obligation, to enforce all applicable State Laws.

\_\_\_\_\_ **5.19.192 License Holder Responsible for Violations By Employees or Agents.**

The City Licensee shall be responsible for all violations of the regulations and ordinances of the City committed by the City Licensee, or any employee or agent of the City Licensee. Violations by a City Licensee, or employee or agent of the City Licensee, may result in revocation or non-renewal of the City License.

\_\_\_\_\_ **5.19.200 Right of Access & Testing.**

A. City officials, employees, and their designees authorized to enforce the provisions of the Code shall have full access to the Premises and records of every Commercial Cannabis Business in order to:

1. Inspect the Premises for compliance with the Code and State Laws.
2. Test any equipment possessed by, in control of, or used by a City Licensee, Owner, Officer, or Manager, and any other employee, agent, or volunteer of a City Licensee.
3. Test any Cannabis or Cannabis Product possessed by, in control of, or used by a City Licensee, Owner, Officer or Manager, and any other employee, agent, or volunteer of a City Licensee.
4. Copy any materials, books, or records of any City Licensee, Owner, Officer, or Manager, and any other employee, agent, or volunteer of a City Licensee.

B. Failure by any City Licensee, Owner, Officer or Manager to cooperate and participate in any City inspection or investigation under this section shall itself be a violation of this Chapter.

C. City officials, employees, and their designees authorized to enforce the provisions of the Code shall have rights of access under subsection (A) during any inspection, investigation, review, audit, or as otherwise allowed by law.

D. Prior notice of an inspection, investigation, review, or audit is not required.

E. Any inspection, investigation, review, or audit of a City Licensed Premises shall be conducted anytime the City Licensee is exercising privileges under the City License, or as otherwise agreed to by the City or its Manager.

F. This subsection shall not be construed to deprive a City Licensee, Owner, Officer, or Manager, or any other employee, agent, or volunteer of a City Licensee of any privileged guaranteed by the Constitutions of the United States and/or the State of California, or any other statutory privileges.

\_\_\_\_\_ **5.19.250 Effect of State License Suspension, Revocation, or Termination.**

A. Suspension of a State License shall immediately suspend the ability of a Commercial Cannabis Business to operate within the City, until the State of California, or its respective department or division, reinstates or reissues the State License.

B. Should the State, or any of its departments or divisions, revoke or terminate a State License, such revocation or termination shall also revoke or terminate the City License and City Licensee's ability to operate a Commercial Cannabis Business within the City.

**5.19.260 Suspension and Revocation of City License.**

The following may constitute grounds for suspension or revocation of a City License:

A. Failure of a City Licensee to comply with any requirement imposed by the provisions of this Code (or successor provision or provisions) including any rule, regulation, condition or standard adopted pursuant to this Chapter, or any term or condition imposed on the City License, or any provision of local or State Laws and/or regulations. Any act or omission of any Owner, Officer, Manager, or employee of a City Licensee constituting a violation of the provisions of this Chapter shall be deemed the act or omission of the City Licensee for purposes of determining whether the City License shall be suspended and/or revoked.

B. Any change in the ownership of a City Licensee that does not have City's prior written approval, if required under this Chapter.

C. Revocation of a City Licensee's State License.

D. City is denied access to the Premises or records of a City Licensee.

E. The City Licensee, or any of its Owners, Officers, or Managers has been adversely sanctioned or fined for, charged with, or found guilty of or plead guilty or no contest to a charge of operating a Commercial Cannabis Business without the necessary licenses and approvals from the applicable state and/or local jurisdictions.

F. Conviction of a City Licensee, Owner, Officer, or Manager for any felony offense.

G. Any City Licensee, Owner, Officer or Manager is charged with any of the following:

1. A violent felony, as specified in Section 667.5(c) of the Penal Code.

2. A serious felony, as specified in Section 1192.7(c) of the Penal Code.

3. A felony involving fraud, deceit, or embezzlement.

4. A felony for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling, any controlled substance to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor.

5. A felony for drug trafficking with enhancements pursuant to Section 11370.4 or 11379.8 of the Health and Safety Code.

6. A felony or misdemeanor involving the illegal possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance occurring after January 1, 2016.

If the City Manager determines that a ground for suspension and/or revocation of a City License exists, the City Manager shall give notice of suspension and/or revocation by dated written notice to the City Licensee. The City Manager shall cause the City Licensee to be served, either personally or by first class mail addressed to the address listed on the application, with the written notice suspending or revoking the City License. This notice shall state the reasons for the action, the effective date of the decision, and the right of the City Licensee to appeal the decision.

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**5.19.280 Enforcement and Penalties.**

A. It is unlawful to:

1. Operate, conduct, or direct Commercial Cannabis Activity in the City without a valid City License authorizing such Activity;

2. Own, set up, operate, or maintain a Commercial Cannabis Business in the City without a valid City License;

3. Participate as an employee, contractor, agent, volunteer, or in any other capacity in a Commercial Cannabis Business in the City without a valid City License;

3. Use any parcel or any portion of parcel of land as a Commercial Cannabis Business without a valid City License;

4. Lease, rent to, or otherwise allow a Commercial Cannabis Business to occupy any parcel or portion of parcel of land in the City without a valid City License.

B. It shall be unlawful for any person to violate any provision, or to fail to comply with the requirements, of this Chapter or any regulation adopted hereunder. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Chapter or any regulation adopted hereunder shall be guilty of a misdemeanor punishable by a fine of not more than \$1,000.00 or imprisonment for a period of not more than six months, or by both a fine and imprisonment. Each day that a violation continues is deemed to be a new and separate offense. No proof of knowledge, intent, or other mental state is required to establish a violation.

C. Any condition caused or allowed to exist in violation of any of the provisions of this Chapter or any regulation adopted hereunder is a public nuisance and may be abated by the City, or by the City Attorney on behalf of the people of the State of California, as a nuisance by means of a restraining order, injunction, or any other order or judgment in law or equity issued by a court of competent jurisdiction. The City, or the City Attorney on behalf of the people of the State of California, may seek injunctive relief to enjoin violations of, or to compel

compliance with this Chapter or seek any other relief or remedy available at law or equity, including the imposition of monetary civil penalties. Each day that a violation continues is deemed to be a new and separate offense and subject to a maximum civil penalty of \$10,000 for each and every offense.

D. Whenever in this Chapter any act or omission is made unlawful, it shall include causing, aiding, abetting, suffering, or concealing the fact of such act or omission.

E. The remedies specified in this Section are cumulative and in addition to any other remedies available under State or local law for a violation of this Code.

F. Nothing in this Section shall be construed as requiring the City to allow, permit, license, authorize, or otherwise regulate Commercial Cannabis Activity, or as abridging the City's police power with respect to enforcement regarding Commercial Cannabis Activity.

**I have read and understand the operating requirements and regulations summarized above. I understand it is my responsibility to be familiar with all laws and regulation governing this activity. I understand that my cannabis business license is subject to sanctions, including, but not limited to, the denial, suspension, or revocation of a permit for any violation of the laws and regulations governing my cannabis business.**

Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

**City of Chula Vista**  
**Site Identification – Property Owner(s) Certification Form**

(Each property owner accepting a proposed cannabis business on their property must complete and submit a **signed, notarized** copy of this Certification)

Cannabis Business Applicant Name: \_\_\_\_\_

Proposed Cannabis Business Address: \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_  
Chula Vista, CA \_\_\_\_\_ Zip Code \_\_\_\_\_

Property Owner Name: \_\_\_\_\_

Property Owner Address: \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_  
City/ State \_\_\_\_\_ Zip Code \_\_\_\_\_

I, the above noted property owner, acknowledge, certify, and agree to the following:

- a. I have read Chula Vista Municipal Code Chapter 5.19 and the City of Chula Vista Cannabis Regulations.
- b. I acknowledge and understand that the applicable Chula Vista Municipal Code cannabis provisions and City of Chula Vista Cannabis Regulations may be updated or amended at any time.
- c. I acknowledge and agree to comply with all Premises Owner requirements contained in the Chula Vista Municipal Code and the City of Chula Vista Cannabis Regulations, currently and as may be amended in the future.
- d. I acknowledge and agree that the site is available for operation of the cannabis business applicant identified on this Certification Form on terms already agreed to or to be negotiated with the applicant that are or shall be consistent with requirements in the Chula Vista Municipal Code and the City of Chula Vista Cannabis Regulations.

Property Owner Signature: \_\_\_\_\_

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT**

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of \_\_\_\_\_)

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public,

personally appeared \_\_\_\_\_

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE \_\_\_\_\_

PLACE NOTARY SEAL ABOVE



## REQUEST FOR LIVE SCAN SERVICE

### Applicant Submission

CA 0370200

ORI (Code assigned by DOJ)

Cannabis Business License

Type of License/Certification/Permit OR Working Title (Maximum 30 characters - if assigned by DOJ, use exact title assigned)

### Contributing Agency Information:

Chula Vista Police Department

Agency Authorized to Receive Criminal Record Information

315 Fourth Avenue

Street Address or P.O. Box

Chula Vista

City

CA

State

91910

ZIP Code

License

Authorized Applicant Type

00349

Mail Code (five-digit code assigned by DOJ)

Special Investigations Unit

Contact Name (mandatory for all school submissions)

6194762398

Contact Telephone Number

### Applicant Information:

Last Name

Other Name

(AKA or Alias) Last

Date of Birth

Sex

☐

Male

☐

Female

Height

Weight

Eye Color

Hair Color

Place of Birth (State or Country)

Social Security Number

Home

Address Street Address or P.O. Box

First Name

Middle Initial

Suffix

First

Suffix

Driver's License Number

Billing  
Number

(Agency Billing Number)

Misc.  
Number

(Other Identification Number)

City

State

ZIP Code

Your Number:

OCA Number (Agency Identifying Number)

Level of Service:

☐

DOJ

☐

FBI

If re-submission, list original ATI number:

(Must provide proof of rejection)

Original ATI Number

Employer (Additional response for agencies specified by statute):

Employer Name

Mail Code (five digit code assigned by DOJ)

Street Address or P.O. Box

City

State

ZIP Code

Telephone Number (optional)

Live Scan Transaction Completed By:

Name of Operator

Date

Transmitting Agency

LSID

ATI Number

Amount Collected/Billed



**CITY OF CHULA VISTA CANNABIS LICENSE APPLICATION  
AFFIRMATION AND CONSENT**

I, \_\_\_\_\_ (full name), hereby declare that the information contained within and submitted with the cannabis license application is complete, true, and correct, and that I have not conducted, facilitated, caused, aided, abetted, suffered, or concealed unlawful Commercial Cannabis Activity in the City of Chula Vista or in any other jurisdiction. I understand that a misrepresentation of fact is cause for rejection of this application, denial of a license, or revocation of a license issued.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT**

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of \_\_\_\_\_)

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public,

personally appeared \_\_\_\_\_

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE \_\_\_\_\_

**(Seal)**